

Andrew Becroft

Are there Lessons to be Learned from the Youth Justice System?

Introduction

It has been almost 20 years since the introduction of the ground-breaking Children, Young Persons, and Their Families Act 1989 (CYPF Act)¹. When introduced the act revolutionised New Zealand youth justice practices (Watt, 2003). It was responding to significant perceived problems with the existing system, including:

- too many young people being brought before the courts;
- too much reliance on an institutionalised, residential approach (often criminalising behaviour which was really the result of care and protection deficits); and
- insufficient opportunity for family and cultural input.

The CYPF Act envisaged that everything that we as professionals did would look towards giving [the opportunity to help the young person put things right] to the family and that, in all the decisions and all the processes, we could say that what we had done has strengthened this family and this family group so that in future they would be stronger to deal with the problems of their own young people. ... It envisaged that in all our ways of working we did not get in the road of the power, the opportunity, the energy and the imagination of families as they attended to their children's problems. (Curruthers, 1997, p.6)

Judge A.J. Becroft is the current Principal Youth Court Judge of New Zealand. After practicing law at Fortune Manning & Partners, establishing the Mangere Community Law Centre and practicing as a criminal barrister in South Auckland, he was appointed to the District Court bench in 1996. He has been Principal Youth Court Judge since 2001.

Twenty years on, it is time to take stock: to celebrate the success of the act and the strengths of the youth justice system, but also to reflect on the system's weaknesses and some key challenges for the future.

Some strengths of the youth justice system

Diversion

A diversionary approach is a key focus of the youth justice system and one of its biggest successes. Section 208(a) of the CYPF Act emphasises that 'unless the public interest requires otherwise, criminal proceedings should not be instituted against a child or young person if there is an alternative means of dealing with the matter'. Research supports this principle and shows that offenders dealt with at a lower level are less likely to be convicted as an adult and to have poorer life outcomes (Maxwell et al., 2004, p.25). Contact with the formalised youth justice system can have detrimental effects on a young offender, such as:

- *‘Inoculation’ to the system*
All criminal justice systems rely upon a sense of authority to instil respect, and consequently produce compliance and feelings of remorse. Too much exposure to a system may increase familiarity and lessen the ‘awe’ factor.
- *Peer contagion*
Exposure to, and association with, other youth offenders during contact with the youth justice system has been shown to significantly detract from the benefits of any treatment that may be provided in that setting. Peer influence is hugely important in this age group.
- *Living up to the label*
Once an identity is established as an offender, this may colour all that young person’s dealings with family, friends and public agencies. It may be harder to break people’s assumptions than to live up to them.
- *Acquiring a ‘badge of honour’*
Some young people, particularly if surrounded by a criminal culture amongst adults, may find contact with the formal youth justice system to be a matter of pride, a mark of maturity or a ‘right of passage’.

In practice, this approach means that Police Youth Aid make extensive use of warnings and diversionary programmes as alternatives to criminal proceedings. Of the approximately 30,000 offences committed by young people in 2006, the statistics show that 23% were dealt with by way of a warning or caution, 39% were dealt with by diversion, 6% were the subject of intention-to-charge family group conferences, and 29% were dealt with by way of proceedings before the

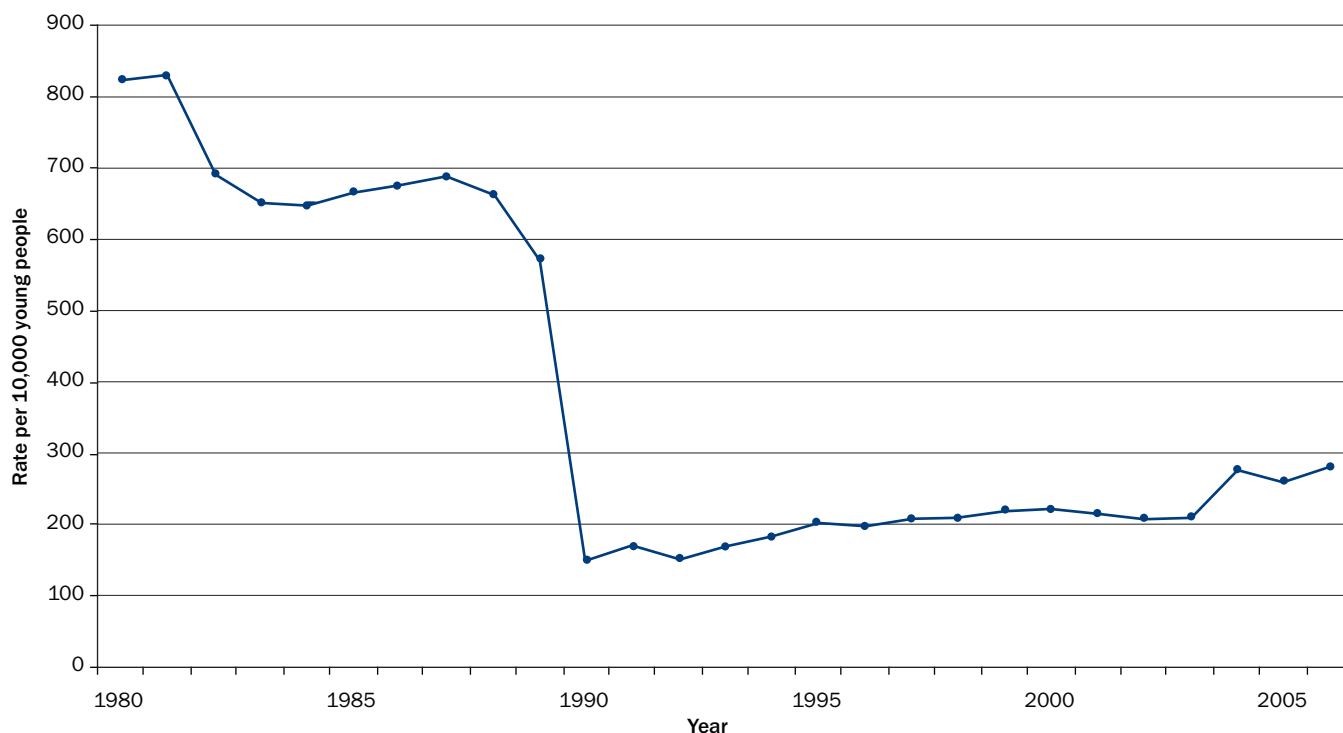
Youth Court (Chong, 2007). It should be noted, however, that these figures are probably deceptive. The real rate of proceedings before the Youth Court is closer to 20%. Indeed, between 1998 and 2004 the prosecution rate remained stable at approximately 17%. The recent ‘apparent’ increase in prosecutions is probably the result of inaccurate collation of statistics.

Very minor incidents are handled by front-line Police with an immediate warning to the young person. These incidents are recorded on standard forms and sent through to Youth Aid for their records (Maxwell et al., 2002a, p.1).

If the incident is more serious, but not serious enough to warrant Youth Court proceedings, the matter will be reported to Youth Aid for action. The Youth Aid officer will decide on a plan after talking to the young person and visiting their family and the victim. The limits of this type of programme are the limits of the imaginations of those involved. The best Police Youth Aid officers spend considerable time and effort tailoring solutions that satisfy victims, prevent reoffending and reintegrate young people into their communities. Examples of the sort of measures taken might include:

- where a young person has been involved in offending involving a motor vehicle –
 - writing a letter of apology to the victim (to be approved by the Police before it is sent);
 - making a reparation payment towards, for instance, the repair of the victim’s car;
 - taking a defensive driving course (from which the young offender learns the value of working towards and achieving a goal); and

Figure 1: Rate per 10,000 population of 14 to 16 year olds, of cases appearing in the Youth Court, 1980–2006



Source: Becroft, 2007b, p.50

- undergoing agreed community work.
- where a young person steals from someone’s home while under the influence of alcohol –
 - listening to the victim’s account of how the offence affected him or her (where victims are willing to participate in this way, confronting a young person with the personal effects of his or her actions can have a profound and lasting impact, often leading to acceptance of responsibility and remorse);
 - returning any stolen property still in his or her possession, or helping the police recover it;
 - attending a programme for alcohol dependency (if this was a relevant factor); and
 - producing a project on how alcohol affects a person’s body and judgment.

(Becroft, 2006, pp.8-9)

The success of this diversionary approach in the 1989 Act was rapid, and demonstrated by a dramatic reduction in the number of offences dealt with in the Youth Court (see Figure 1).

Research has also demonstrated that young people who are dealt with by diversion have a much lower likelihood of reoffending. Table 1 shows that only 16% of young people in a randomised sample dealt with by diversion reoffended within 18 months. That figure compares with 37% for young people dealt with by a pre-charge family group conference, and 51% for young people dealt with by criminal proceedings in the Youth Court (Maxwell and Paulin, 2002, p.70).

To some extent these figures simply reflect that the more serious and formalised responses will be reserved for the more serious charges committed by the most problematic young people, and therefore the rate of reoffending will probably be higher for these young offenders. Nevertheless, there is certainly room to argue that withholding the use of Youth Court prosecution (whenever consistent with the public interest) gives a significantly greater chance of the young person not entering the formalised youth justice system. Are there lessons here, pointing to a greater and more flexible use of diversion in the adult courts?

Specialist Police Youth Aid force

New Zealand is the only country in the world to have a specialised police force dealing with young offenders. There are currently 220 dedicated Police Youth Aid officers in New Zealand. The levels of knowledge and experience that have been built up within this division of the Police is a credit to

the New Zealand Police, and a large factor in the success of the youth justice system under the CYPF Act.

In addition, New Zealand is also the only country to have specifically trained lawyers for the Youth Court (called youth advocates), paid for by the state.

Family group conferences

Family group conferences are the lynchpin of the New Zealand youth justice system. Their use is mandatory for all those who come before the Youth Court unless the charges are dismissed after a denial and defended hearing. It is the family group conference through which control over, and responsibility for, youth offending is given back to the community and families.

In a family group conference the young person and their family, together with the victim and their family, make decisions on how to address the offending. The young person hears the victim talk about the impact of the offending, and he/she has an opportunity to talk about how they feel about their offending. The final goal of the family group conference is to formulate a plan, agreed to by all the participants, addressing both the ‘needs’ and ‘deeds’: that is, that the offender demonstrates that they take responsibility for the offending, that they should make amends for their offending, and that changes in their life are planned which will encourage them not to reoffend. A significant challenge remains for the adult courts to meaningfully and comprehensively involve victims.

Reducing institutionalisation

In 1988, 2,000 children in New Zealand were in state institutions. By late 1996 the figure was under 100. Research had firmly established that incapacitating ‘hard core’ young offenders did not deter them from future offending. Putting offenders into state institutions was more likely to reinforce their criminal identity and restrict their opportunity to choose a non-criminal lifestyle through normal integration in the community (Walters, 1997, p.26).

As a result of this new approach, and the decreased number of children in state care, the New Zealand government was able to close down many borstals and boys homes.

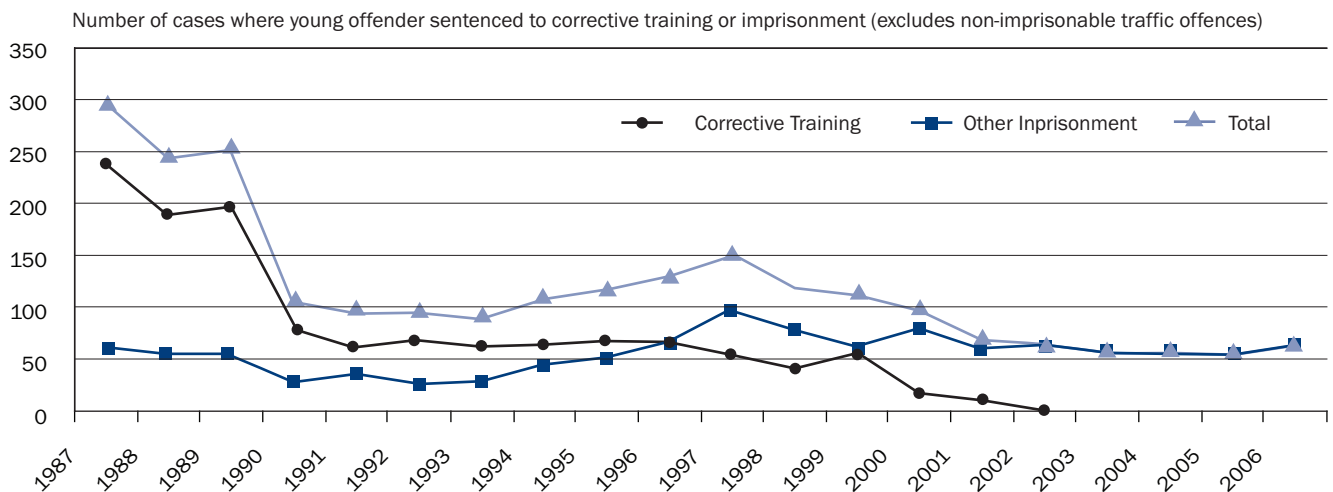
Reduced rates of imprisonment

After the introduction of the CYPF Act and the statutory enjoiner to consider alternatives to criminal proceedings, to impose the least restrictive sentence, and to keep young offenders in the community whenever consonant with public safety, rates of imprisonment fell dramatically.²

Table 1: Rate of reoffending within 18 months of young people in sample, according to police response to their first offence

Police response	Total number of young people	Total number of young people who reoffended	% of young people who reoffended
Warning/other	649	60	9.2
Diversion	464	74	15.9
Intention-to-charge FGC	94	35	37.2
Youth Court prosecution	231	118	51.1
All responses	1438	287	20.0

Figure 2: Custodial sentences for Youth Court cases, 1987–2006



Source: Becroft, 2007b

Between 1987 and 1996 the bulk of custodial sentences were corrective training (Maxwell et al., 2002b, p.97). Corrective training, first instituted in 1981 for young offenders aged 16 to 19 years old, was a style of ‘boot camp’ involving tough military-style discipline and physical activities. Research throughout the western world demonstrates overwhelming evidence that boot camps simply do not work, at least in the sense of reducing reoffending (Lipsey and Cullen, 2007). A New Zealand Department of Justice study in 1983 found that 71% of correctional trainees were reconvicted within a single year of release (Walker and Brown, 1983). An analysis of Ministry of Justice data of all people convicted in 1988 found that correctional trainees had a reconviction rate of 92%, the highest of any sentence (Department of Corrections, 1997). The ineffectiveness of this sentence resulted in a reduction in its use and its eventual abolition in June 2002. The fall-off in use of corrective training initially saw an increase in the use of prison sentences from 1997, but the decline in custodial sentences for young offenders continued (Maxwell et al., 2002b).

Since 2001, rates of imprisonment of young people have remained fairly stable at around 50 per year. This contrasts with the position in the United Kingdom, where there has been a sharp increase in the number of young people imprisoned. On 31 January 2003 there were 2,890 young people under 18 years old in prison in England and Wales – more than twice as many as 10 years before this date (Monaghan, Hibbert and Moore). Is there a lesson here for the adult court?

The challenges for the youth justice system

Better statistical reporting and more research

Currently the Ministry of Justice collects and reports on a range of youth justice statistics. This is a valuable resource, but more comprehensive information is required to understand more clearly how the system is working. Particular needs are:

- *Tracking individuals through the system*
We need to be able to assess on an annual basis how many young people who have passed through the Youth Court go on to be dealt with by the adult courts. Also, how many people in the adult court have a youth justice or care and protection history?
- *Assessment of the effectiveness of top-end orders*
For example, what are the rates of reoffending of young people dealt with by the youth justice system? Do young people who are subject to a supervision with residence order do better than young people who are transferred to the District Court for sentencing? Do supervision with activity orders decrease the chance of future reoffending? After 20 years of the act’s operation it is ludicrous that there is no completed quantitative research into the success or otherwise of the top-end Youth Court orders. In what other jurisdiction would judges impose sentences, the efficacies of which are unknown?
- *Regional statistics*
Are there ‘bubbles’ in certain regions of New Zealand, meaning that regionalised aspects of the youth justice system need attention?
- *Youth Offending Strategy – key focus area 2 information*
In 2002 the Youth Offending Strategy (Ministry of Justice, 2002) recommended seven key focus areas that needed attention in order to prevent and reduce offending by young people. The second key focus area was identified as ‘Information: the development of consistent and comprehensive information about offending by young people’. In particular, the strategy identified the ability to track a young person’s progress through the youth justice system, compatibility of data between agencies and between the youth and adult justice systems, and regular and high-quality evaluation of the response to youth offenders, as necessary outcomes. Without the development of this information, the true nature and extent of youth offending is unclear, effective responses

by agencies to offending by young people are hindered, and there are consequential implications for the quality and robustness of policy advice provided to government.

Improving family group conference outcomes

While they have been shown to be effective in reducing rates of recidivism and increasing the chances of positive life outcomes for young offenders, there is still a concerning lack of confidence in the family group conference system in some quarters.

The success or otherwise of a family group conference will always depend, to a large part, upon the capability of the person co-ordinating it and the support resources provided. Research has shown (Maxwell, 2003, p.10) that a successful family group conference (one which makes reoffending less likely) requires a number of elements to be present:

- *Good preparation before the conference*

Good preparation means ensuring that as many people as possible who are involved in the offending are present and able to contribute to its resolution. It means making sure all relevant information is prepared and made available to the conference. It means that victims are visited in advance and that all that is possible is done to ensure their attendance.

- *Support for the offender*

At the conference the young person should feel supported, understand what is happening, participate and not feel stigmatised or excluded.

- *The generation of feelings of remorse during the conference*

A conference that generates feelings of remorse, of being able to repair harm and of feeling forgiven, and which forms in the young person the intention not to reoffend, is most likely to reduce the chances of further offending.

- *Low-level outcomes*

Processes that are diversionary, sanctions that are least restrictive and outcomes that are constructive are associated with positive life outcomes.

Family group conferences fail for a number of reasons. Often it is simply that not enough effort has gone into ensuring that the right people are attending – people who can support the offender through the conference and through the execution of the resultant plan.

Developing sector-wide training and capability

There is a need to develop a more specialised and highly-trained, youth-specific workforce. This need covers the whole youth justice system, from government agencies (CYPF, Police Youth Aid, youth advocates, health and education workers) to the community sector. A specific qualification offered to family group conference co-ordinators has been a longstanding need, and this is currently being addressed by the Child, Youth and Family Service.

Standardised training is urgently required for people who operate in this sector on generic matters such as working with adolescents, the teenage years, what works and what doesn't

work, and the youth justice system itself. Too often training takes place within government 'silos', or not at all.

Better use of community-based options

The CYPF Act embodied a vision that families and the community should be entrusted to attend to their children's problems (Curruthers, 1996, p.6). With support, community-based groups are almost always in the best place to address the causes of offending by young people. Full-time residential options, which aggregate young offenders together, although sometimes necessary in the public interest seldom provide an effective environment for sustainable rehabilitation.

Over time, the vision of the 1989 Act has been allowed to wither. Too often government agencies that decide it is easier to retain a control and monitoring role over a young person's course through the youth justice system, rather than relinquishing that control to the community. Too often community agencies have not been supported to enable expertise and experience to develop.

Young people need a great deal of help to reintegrate back into a normal community in a successful way, and without falling back into old habits.

This problem is best illustrated by the decline in use by the Youth Court of supervision with activity orders.³ In 2006 there were just 122 supervision with activity orders, compared to 240 supervision with residence orders.⁴ The supervision with activity order has the potential to link a young person with positive role models, and to help them establish lasting supports and relationships within their community. Such an order can make it harder to build relationships with other offenders, which can lead to further offending (MacCrae, 2007, p.6). In principle, there should always be more supervision with activity orders than supervision with residence orders. There is a need to relinquish control, to trust the community more, and to return to the original vision of the CYPF Act. Recently, the Child, Youth and Family Service has guaranteed funding for a four-year period for seven community programmes in order to better deliver the supervision with activity order.

Improving transition from the formal youth justice system back into the family and community

Transition services available to young people who have been under the care of the Child, Youth and Family Service, to assist in their placement back within the community and with their family, need to be greatly enhanced. Young people need a great deal of help to reintegrate back into a normal community in a successful way, and without falling back into old habits. Usually the young person and their family will

need considerable assistance, such as is offered by the multi-systemic therapy approach.

A better response to violent youth offending

The number of Police apprehensions for youth offending is relatively stable. However, apprehensions for serious violence offences are increasing, although, curiously, mainly since 2005. This is not a trend restricted to youth offenders; it is replicated in all other age groups in the community. In fact, the biggest percentage increase in apprehension rates for violent offending in recent years is amongst 51–99 year olds (Chong, 2007). While some of the increase is doubtless due to a more focused community concern with violence, with more specific policing and a greater willingness to report violence, the figures are still hard to argue with.

For young people, the increases are at both the less serious end of violent offending (common assault), and at the most serious end (including assaults with a weapon). It is a perplexing question: why do we appear to be becoming a more violent community, and what are the best interventions for our violent youth offenders? Most youth violence is committed under the influence of alcohol, and is random, spontaneous, gratuitous street violence, usually committed by small groups of young men. There is apparently an increasing occurrence of female youth violence, usually planned and targeted, the victims being other young females or older males. The research from studies such as the Christchurch University Longitudinal Study seems overwhelming – that ‘all roads lead back to conduct disorder’ (Fergusson, 2005). In this respect, only the best evidence-based interventions will succeed.

The care and protection/youth justice interface – and the problematic issue of improving our response to ‘child offenders’

The vision of the 1989 CYPF Act was to confine the Youth Court’s focus to holding young offenders to account and addressing only those of their needs which caused their offending (sections (4)(f)(i) and (ii), CYPF Act 1989). It is frequently the case that young offenders have underlying care and protection needs that require long-term intervention. Those young people should be referred (or returned) to the Family Court (section 280, CYPF Act 1989). In that forum their long-term care and protection needs can be more appropriately addressed. These care and protection issues do not belong in the Youth Court, which must avoid ‘welfare-ising’ its response and continue to restrict its focus to the underlying needs which caused the offending.

A related issue is the quality of our response to child offenders – those aged 10–13 years old. These children cannot be charged with any offence in a criminal court except murder or manslaughter. They can be arrested by the Police and, if necessary, delivered into Child, Youth and Family Service custody. If the number, nature or magnitude of their offending raises serious concern as to their care and protection, a family group conference can be convened. If necessary the Family Court can declare that the child offender is in need of care and protection, with all the ensuing statutory consequences. This response reflects the philosophical idea that a child’s offending

is caused by a lack of parental care and protection. We have not done this work as well as we could have in New Zealand. It is insufficiently resourced and lacks specialist practitioners. Too many of the serious youth offenders entering the Youth Court have long-term, unresolved child offending issues. While the philosophy may be considered sound, there is a real challenge for us all to improve our practice in this very difficult area.

Wider challenges

Māori offending

To be involved in the Youth Court is to daily confront the tragically disproportionate involvement of young Māori within the system. Māori comprise approximately 17% of the Youth Court age range, yet account for nearly 50% of total apprehensions (Chong, 2007). Alarming, Māori figure even more disproportionately in custodial remands, where the figure approaches 60%. Indeed, in areas of relatively higher Māori population it has been observed that the appearance of Māori in the Youth Court approaches 92% in Kaikohe and 86% in Rotorua (Ministry of Justice, 2002, p.24). Regrettably, this issue is all too easily avoided. In my view, it is the single most important issue facing our youth justice system.

Of course, the problem is much greater than just a youth justice issue. Māori are ‘negatively’ over-represented in most socio-economic measurements. Those involved in the youth justice system, including Māori, are constantly reflecting upon better ways to deal with our Māori young offenders. The recent initiative at Poho Rawiri marae in Gisborne to monitor the family group conference plans of Māori offenders on the marae, for instance, is one such response.

Early intervention

The Jesuit priest Saint Ignatius of Loyola famously said, ‘Give me the boy until he is seven and I will give you the man’. The longer the Youth Court operates, the clearer it is that the battle to prevent a young person’s serious offending is really won or lost in those pivotal first years of early childhood.

There is a pressing need for a comprehensive intergovernmental early intervention policy that focuses on family support and skills development programmes, identifies gaps in services, provides consistency of funding and programme objectives, and provides provision and support of culturally-responsive services for Māori and Pacific families.

Keeping young people in education

Research has found a very strong link between a lack of engagement in education and youth offending (McLaren, 2000, p.31). This is also abundantly clear in the Youth Court. The key challenge for managers and practitioners is how to support young people in sustaining an attachment to education, or helping them re-establish that attachment once it has broken (Stephenson et al., 2007). Serious offenders before the Youth Court have this in common: they are not meaningfully engaged in any form of education programme and are effectively lost to the system. The size of this group can only be estimated, but from the perspective of the Youth Court, it ranges from 1,000 to 3,000 young people.

In New Zealand there are some 1,800 alternative education places in numerous organisations for those young people for whom mainstream education has become inappropriate. While this system often works very well, broadly speaking there are issues with training, capability and resourcing of teachers, and funding sufficient to enable alternative education to rise beyond the 'bottom of the heap'.

The use of 'evidence-based' interventions and programmes

The youth justice system (both the overall process set out by the CYPF Act and the specific intervention programmes delivered), and indeed the adult criminal justice system, would benefit from a principled review in terms of alignment with models and programmes that are demonstrated to be effective.

The initiation and development of new programmes for young offenders and young people at risk should adopt a 'prevention science framework', whereby a problem is defined, risk and protective factors are identified, and effective programmes are identified from metadata and then thoroughly piloted and evaluated before full-scale implementation. It is crucial that a more systematic, evidence-based way of developing and funding youth justice programmes is established.

When effective programmes are identified, introduced as pilots, and shown to be effective after research, then they should be rolled out across New Zealand. An example of a successful pilot that will not be extended is the supported bail programme (see Court in the Act, 2009, pp.2-3).

Research in recent years has shown that more long-term, holistic, family-based interventions are likely to be much more successful, such as multi-systemic family therapy (MST), functional family therapy (FFT) and therapeutic foster care (TFC) (Lambie, 2006, pp.175, 183). MST is an intensive family- and community-based treatment that addresses the multiple determinants of serious antisocial behaviour in young offenders. The multi-systemic approach views individuals as being nested within a complex network of interconnected systems that encompass individual, family and extra-familial (peer, school, neighbourhood) factors. FFT is an outcome-driven prevention/intervention programme for youth who have demonstrated the entire range of maladaptive, acting-out behaviours and related syndromes, and are at high risk of reoffending (Blueprints). (See Appendix for two graphs illustrating the effect on recidivism and the economic impact of various treatment programmes for young offenders, including MST and FFT.)

The creation of a nationwide mental health service for young people

There is a significant overlap between risk factors for offending and for poor mental health amongst young people, so it is unsurprising that the Youth Court sees many young people with mental health problems. While New Zealand statistics are unavailable, research in the United Kingdom has revealed

that amongst young people who offend, 31% have mental health problems, 18% have had problems with depression, 10% suffer from anxiety, 9% report a history of self-harm in the preceding month, 9% suffer from post-traumatic stress disorder, 7% have problems with hyperactivity, and 5% report psychotic-like symptoms (Blyth et al., 2007, p.54). Youth forensic services are patchy and access to youth-specific treatment programmes is even more difficult.

It is easy to see the huge potential in mentoring from a compatible older person who can encourage a young person to make constructive choices and support them to deal with life's problems.

Development of a nationwide mentoring scheme

Mentoring programmes have been shown to produce promising results in terms of reducing reoffending and producing better life outcomes (McLaren, 2000, p.70). Mentoring involves linking a young person with a suitable older person who has volunteered their time and been trained in how to interact with their younger buddy.

It is easy to see the huge potential in mentoring from a compatible older person who can encourage a young person to make constructive choices and support them to deal with life's problems. The government has highlighted mentoring programmes in the Children, Young Persons, and Their Families (Youth Courts Jurisdiction and Orders) Amendment Bill currently before Parliament. If this is to succeed, priority must be given to carefully selecting and screening mentors, matching young people with mentors, and training mentors in desirable behaviours and attitudes to model (McLaren, 2000, p.72). This is exemplified by several organisations already active in New Zealand, such as the 'Big Brother/Big Sister' programme.⁵

Alcohol and drugs

The use and abuse of drugs and alcohol is a major issue for most young people appearing in the Youth Court (Becroft, 2009, p.5). It is unsurprising that international research shows that young people who use illicit drugs are more likely to commit offences (McAllister and Makkai, 2003). It is estimated that 80% of young people appearing before the Youth Court have alcohol or drug dependency or abuse issues that are connected with their offending (Walker, 2007).

Dealing with a young person's drug and alcohol issues is complex, because they usually present with a range of needs, including mental health issues, criminality, family conflict and disengagement with school (Schroder, 2008).

The Youth Court takes drug and alcohol use very seriously. One initiative is the Christchurch Youth Drug Court – a specialist court based on principles of therapeutic

jurisprudence and designed to enhance collaborative multi-agency work with young offenders (see Court in the Act, 2008, p.5). In general, however, the Youth Court's desire to produce accountability and restoration for each young person will only succeed if youth-specific drug and alcohol services are made more widely available (Becroft, 2009).

Conclusion

The innovative approach of the Children, Young Persons, and Their Families Act 1989 is now 20 years old. It has surely proven itself in terms of increased diversionary and community approaches, reduced institutionalisation, reduced imprisonment, reduced recidivism and better life outcomes for young people. It has been studied and adapted by many international jurisdictions.

There are, however, ongoing challenges to improve the system, to keep it focused on the original vision, and to better respond to New Zealand's most violent young people. We can do better for adolescents with alcohol and drug abuse issues or with mental health problems. We can do better to address disproportionate rates of offending amongst Māori young

people. We can also do better at keeping all young people engaged in education.

As we strive to address these and other issues, we must keep in mind the original vision of the CYPF Act: first, that minimising involvement in the formal criminal justice system has been proven to produce better outcomes; and secondly, that in most cases, families and communities are best placed to hold their young people accountable and to make the enduring changes in a young person's life that will secure better life-course outcomes.

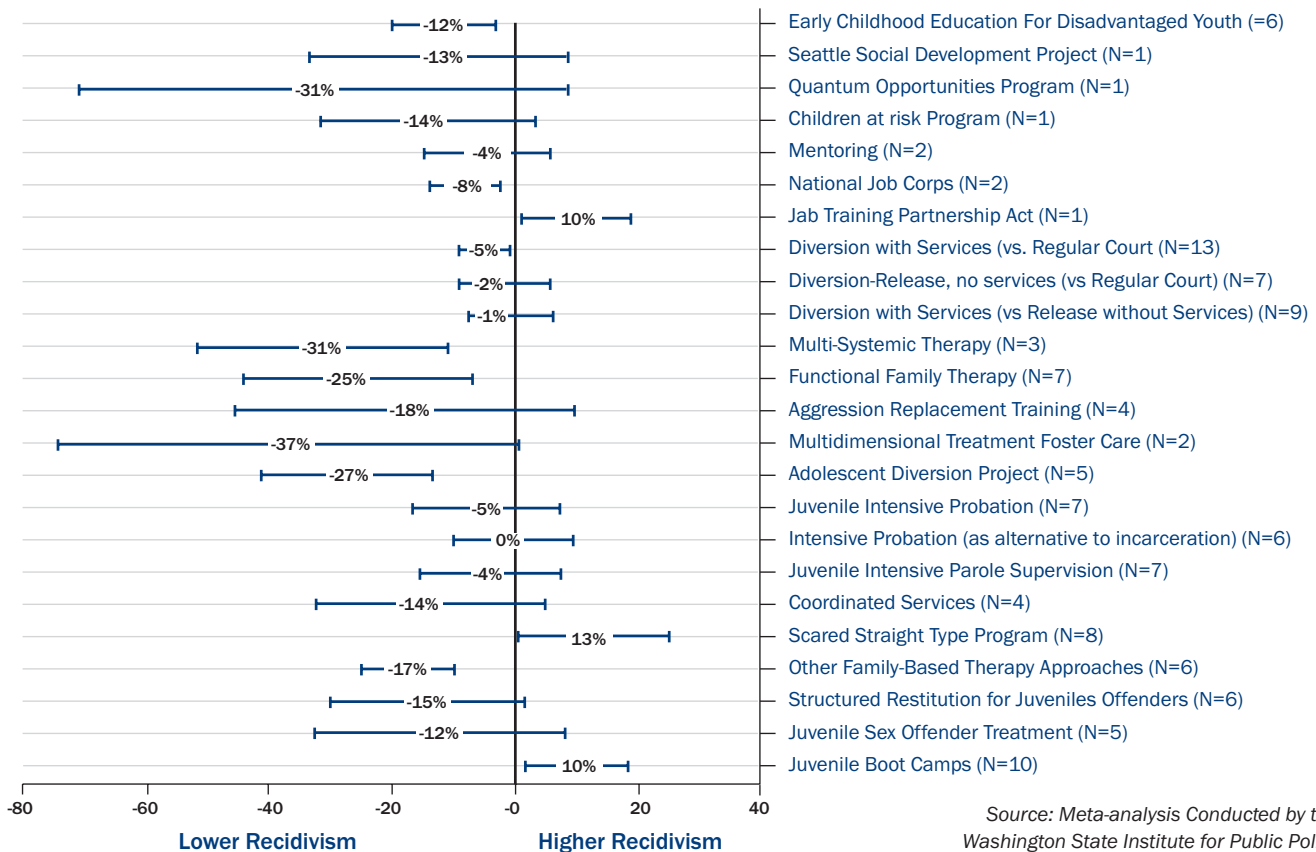
- 1 This article has been prepared in collaboration by Judge Andrew Becroft and Linda McIver, research counsel to the Principal Youth Court Judge.
- 2 The Youth Court cannot sentence young people to imprisonment but can convict and transfer them to the District Court, where they may receive a sentence of imprisonment. For certain offences, the Youth Court may conduct a preliminary hearing and then transfer the matter to a superior court for hearing and sentence. This is to be differentiated from the Youth Court supervision with residence order in section 283(n) of the Children, Young Persons, and Their Families Act 1989.
- 3 S283 (m) of the CYPF Act. A supervision with activity order means that the young person is put under the supervision of the Child Youth and Family Service, or some other person or organisation, and they are obliged to carry out a specified programme of activity.
- 4 S283(n) of the CYPF Act. A supervision with residence order means that the young person is placed in the custody of the Child Youth and Family Service in a residence for up to three months.
- 5 For more on youth mentoring programmes see <http://www.justice.govt.nz/youth-justice/e-flash/e-flash-26.html>.

Appendix

The Estimated Effect on Criminal Recidivism for Different Types of Programs for Youth and Juvenile Offenders

The number in each bar is the "effect size" for each program, which approximates a percentage change in recidivism rates. The length of each bar are 95% confidence intervals.

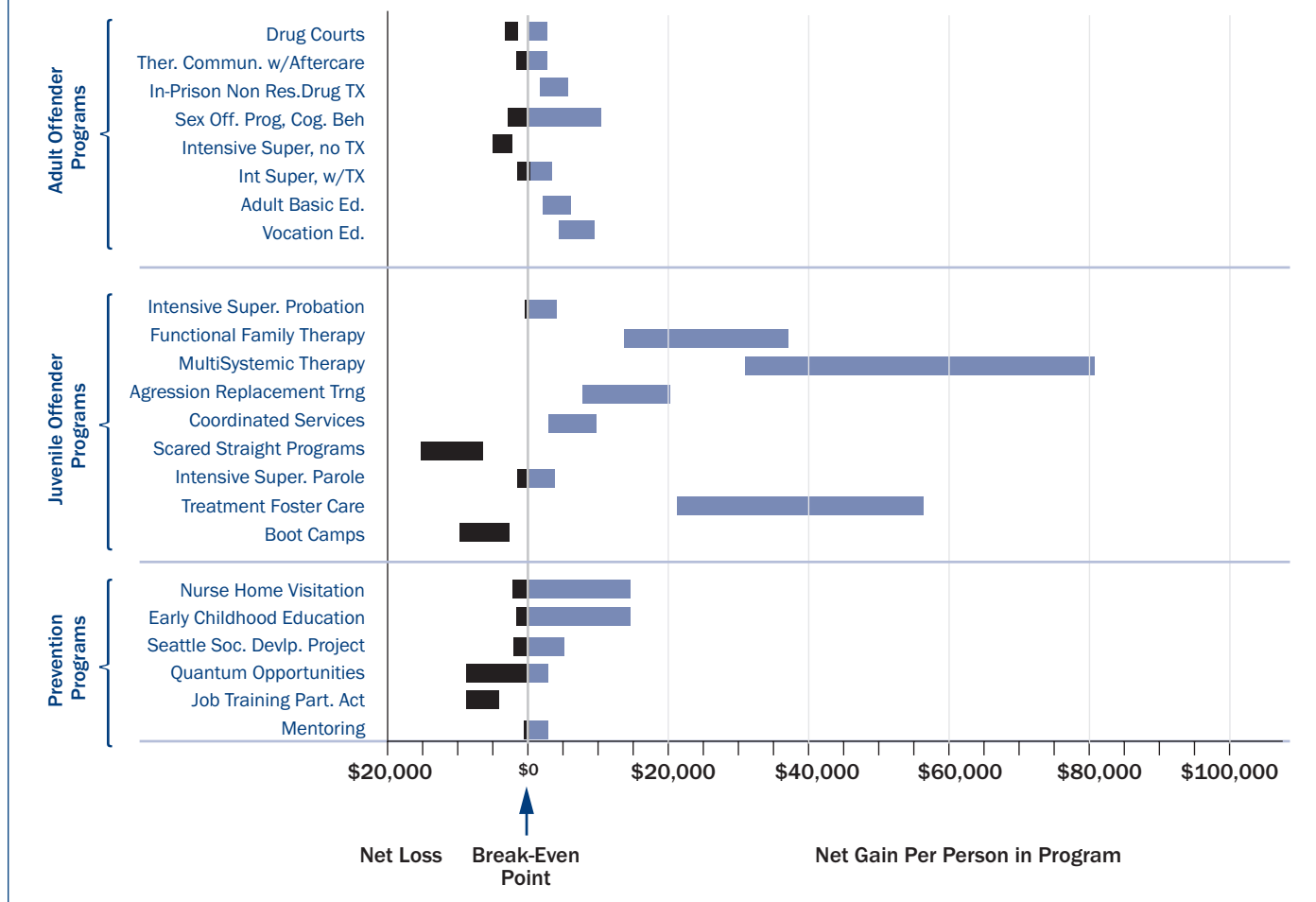
Type of Program, and the Number (N) of Studies in the Summary



Source: Meta-analysis Conducted by the Washington State Institute for Public Policy

Source: Trupin, E. Strategies for developing diversion and transition programs for youth with co-occurring disorders in Washington State. A presentation to the GAINS TAPA Center Net/Teleconference, 11 October 2005

Economic Estimates From National Research For Adult & Juvenile Justice and Prevention Programs



Source: Trupin, E. Strategies for developing diversion and transition programs for youth with co-occurring disorders in Washington State. A presentation to the GAINS TAPA Center Net/Teleconference, 11 October 2005

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Addressing the Causes of Offending: What is the Evidence?

edited by Gabrielle Maxwell

The National-led government, elected in November 2008 in New Zealand, is committed to addressing the causes of offending and enhancing public safety. It has announced a range of policies to achieve these objectives. But many of the government's proposals have been tried elsewhere in the world and have not always been successful.

Addressing the Causes of Offending: What is the Evidence? provides an overview of the available evidence on the causes of offending and the effectiveness of responses to it. The book draws on the views and experience of researchers and practitioners within New Zealand, including those who have been actively involved in working with offenders,

their victims and their families. It is hoped that this book will enable this knowledge and experience to inform public debate and policy making during such turbulent times. It is important to ensure that effective laws, policies and practices are not abandoned. Equally, any changes that are made need to be based on sound evidence on what reduces offending and re-offending, comply with international conventions and standards, and improve the safety of the community.

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